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Attorney for Plaintiffs

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

Gary Blue and Karen Blue, husband and wife)

Plaintiffs,)

vs.)

Case No. 1:13-cv-01553-LEK-TWD

1228 Western Ave, LLC,)
Super Host Hotels, Inc., and)
Best Western International, Inc.,)

Defendants,)

STIPULATION TO VOLUNTARILY DISMISS THE INSTANT ACTION

IT IS HEREBY STIPULATED by and between Plaintiffs Gary Blue and Karen Blue, by and through their counsel of record Jules Zacher, Esq.; and Defendants 1228 Western Ave, LLC and Super Host Hotels, Inc., by and through their counsel Maria D. Ascenzo, and Best Western International, Inc., by and through its counsel, Thomas J. Mortati, that the instant action be dismissed with prejudice pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii).

1 DATED this 23 day of April, 2014

2 DATED this ____ day of April, 2014

3 JZ
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12 /s/ Christina M. Sonsire
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20 /s/ Maria D. Ascenzo
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29 /s/ Thomas J. Mortati
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International, Inc.

39 IT IS SO ORDERED:

40 Lawrence E. Kahn
41 Lawrence E. Kahn
42 U.S. District Judge

43 Dated: April 24, 2014
44 Albany, NY